

STATE OF MICHIGAN
COURT OF APPEALS

DILUSSO BUILDING COMPANY, INC.,
MARIA DIMERCURIO, GAETANO
DIMERCURIO, and DAMIANO DIMERCURIO,

Plaintiffs-Appellees,

v

CONCORD INDUSTRIAL GROUP and
GERALD T. KLEBBA,

Defendants-Appellants.

UNPUBLISHED
February 21, 2003

No. 233912
Macomb Circuit Court
LC No. 01-000195-CK

Before: White, P.J., and Kelly and R. S. Gribbs^{*}, JJ.

WHITE, P.J. (*concurring*).

I agree that the trial court did not err in concluding that the parties' course of performance was controlling, and in awarding judgment to plaintiffs.

/s/ Helene N. White

^{*} Former Court of Appeals judge, sitting on the Court of Appeals by assignment.